REMARKS

The above amendment and these remarks are responsive to the Office Action dated 09/15/2005 of Examiner Susanna M. Meinecke Dias.

Claims 1-2 and 36-41 are in the case, none as yet allowed.

35 U.S.C. 112

Claim 40 has been rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

Applicants have amended the claim to reference statically embodied and executable instructions, as suggested by the Examiner, and request that claim 40 be allowed as amended.

35 U.S.C. 103

Claims 1, 2, and 36-41 have been rejected under 35 U.S.C. 103(a) over Gundewar et al. (U.S. Patent No. 6,381,610, hereinafter Gundewar.)

END919990117US2   13

As applicant's interpret Gundewar, a system is described that allows one to automatically design a project plan for an engineering or software design project. The designer selects tasks and work products from a list of templates. These templates are not defined by Gundewar, and it appears that the designer would have to develop them before they could be used. Based on this, Gundewar appears to be a system that, if enought templates were designed, would allow the user to build a generalized project plan that would be useable on projects, generally. Gundewar does not address how the project would reengineer any specific piece of the customer's processes.

With respect to applicant's invention, like Gundewar servers, laptops, and databases are used. However, applicant's invention differs from Gundewar in several key aspects. First, unlike Gundewar, applicants do not provide a generalized design that requires the designer to build templates. Second, unlike Gundewar, applicants provide a reengineering tool that defines how to analyze the specific conditions that exist with a customer and conduct a gap analysis between the customer and the IBM model. Third, applicants then design a very specific solution uniquely tailored to the situation, that is the customer requirements as revealed in the gap analysis. Gundewar provides no specificity, customization, or anlysis of the situation.

END919990117US2   14

With applicant's invention, there is no generalization as in Gundewar.

The Examiner states that general procurement and accounts payable are commonly used in project planning. This is true. However, as stated above, these functions are not being used in applicant's invention. Rather, they are being reengineered using the models described to make them more efficient within the framework of the specific customer situation.

Applicants have amended all claims to recite the above distinction with respect to Gundewar, and urge that claims 1-2, and 36-41 be allowed.

SUMMARY AND CONCLUSION

Applicant urge that the above amendments be entered and the case passed to issue with claims 1-2, and 36-41.

The Application is believed to be in condition for allowance and such action by the Examiner is urged. Should the Examiner determine that one/more of the claims are not in condition for allowance, the Examiner is requested to phone the undersigned at the number provided below for the

END919990117US2   15

purpose of providing constructive assistance and suggestions
in accordance with M.P.E.P. Sections 707.02(j) and 707.03 in
order that allowable claims can be presented, thereby
placing the Application in condition for allowance without
further proceedings being necessary.

Sincerely,

R. F. BARNARD, ET AL.

By

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Date: 15 Dec 2005

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END919990117US2   16